

REMARKS/ARGUMENTS

This Amendment is accompanied by a Request for Continued Examination and is further responsive to the final rejection mailed December 12, 2008 and the related Advisory Action mailed March 24, 2009.

In the present Amendment claims 1, 3-10 and 21-22 are canceled. Claims 23-28 are newly presented.

In the aforementioned December 12, 2008 final rejection, claims 1, 3-10, 19, 21 and 22 were rejected on grounds of obviousness-type double patenting over applicant's co-pending application serial No. 11/130,585. Claims 1, 3-5, 7-9, 21 and 22 were similarly rejected on obviousness-type double patenting over applicant's co-pending application No. 11/154,363. These are "provisional" rejections which require no response, unless the mentioned claims actually issue as patented claims.

Otherwise, claims 1, 3-10, 19, 21 and 22 were stated to be anticipated by Kaida Hiromasa et al., (JP 7-22361) and claims 1, 3-10, 19, 21 and 22 were alternatively rejected on grounds of anticipation by Kiyose Hiromi (JP 2000-156363).

The Examiner responded to applicant's Request for Reconsideration, stating: "It is noted that the JP '361 see Fig. 10, wherein nozzles 50,52 are outer and the inner nozzles 7 and 30. Likewise, in JP '363 see Figs. 1-3 wherein the outer nozzle 28,14 and inner nozzle 16 are illustrated." See the Advisory Action of March 24, 2009. Reconsideration is requested in view of the amendments to the claims herein and the following remarks.

Presently, claim 19 is the sole remaining independent claim. Newly presented, dependent claims 23-28 are modeled respectively, after claims 3-5 and 7-9.

The invention of independent claim 19, as amended, comprises the following elements and configuration:

- (A) a single gas discharge port is arranged so as to be off center relative to the inner shaft which is arranged coaxially with a support cylinder;
- (B) the single inner gas discharge port and an outer gas discharge port are arranged inside the support cylinder; and
- (C) the outer gas discharge port is annularly formed and arranged so as to continuously and annularly enclose the inner gas discharge port.

Turning to the cited references, Hiromasa discloses a gas discharge port (tip of the feed pipe 30) on the center of the spreading covering 6 and the nozzle 50 for coating liquid scattering to the outside (Fig. 10). However, paragraph 36 of Hiromasa teaches that the nozzle 50 consists of stoma county lined in a same circle or slit county. That is, the nozzle 50 which is the outer gas discharge port of Hiromasa is not annularly formed and arranged, so as to continuously and annularly enclose the tip of the feed pipe 30.

Further, the gas discharge port on the center of Hiromasa is not off center relative to the feed pipe 30. Also, the nozzle 50 is not arranged inside the support cylinder (cylinder at the upper side of the spreading covering 6). Accordingly, Hiromasa teaches none of components (A), (B) and (C) of claim 19, mentioned above.

Kiyose Hiromi discloses a gas discharge port (tip of the outer tube 16b) arranged to the center of an atmosphere cutoff plate 12, for discharging nitrogen gas and to arrange 4 deliveries 28a in surrounding part of the atmosphere cutoff plate 12.

However, since 4 deliveries 28a discharge gas to the chuck pin 8 of a spin base 6, it is sufficient if 4 deliveries 28a are arranged in position toward a chuck pin 8 (see paragraphs 18 and 23). That is, 4 deliveries 28a which is the outer gas discharge port of Hiyose Hiromi is also not annularly formed and arranged so as to continuously and annularly enclose the tip of the outer tube 16b.

Furthermore, the outer tube 16b of Kiyose Hiromi is not arranged off center relative to the tube 16. Also, 4 deliveries 28a which is the outer gas discharge port are not arranged inside the supporting spindle 14. Accordingly, Kiyose Hiromi teaches none of components (A), (B) and (C) of claim 19, mentioned above.

Based on the foregoing remarks, it is very clear that neither Hiromasa et al. nor Kiyose Hiromi teaches any of the components (A), (B) and (C) of claim 19. Therefore, claim 19 of the present application cannot be said to be anticipated by either one of these two references, nor is it rendered obvious by any one of these references or even by their combined teachings.

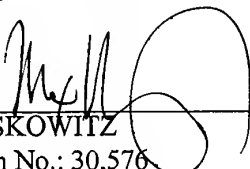
The remaining claims in the application contain the above limitations of claim 19 and the remarks given above are applicable to them. In addition, they include further limitations which places them even more distantly away from the prior art. Therefore, all of the claims in the application should be deemed patentable and promptly passed to issuance.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

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ON APRIL 29, 2009

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Respectfully submitted,


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